

MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION MEETING

January 28, 2004

Those in attendance were:

Roger Korell, Chair	Arlond Garrat, Member
Beverly Donaldson, Member	Clint Johannes, Member
Vince Kramper, Member	Milton Moravek
Dan Watermeier, Member	Scott Nelson
Wayne Madsen, Member	Artis Fisher
Jim Van Marter, Member	Marlin Petermann
Richard Jiskra, Member	Pat Teer
Joe Hergott, Member	Roger Patterson, Director
Don Roberts, Member	Jim Cook, Staff
Robert Hahn, Member	Tom Pesek, Staff
Richard Hadenfeldt, Member	Gayle Starr, Staff
Garry Anderson, Member	

CALL TO ORDER

Commission Chair Roger Korell called the meeting to order at 1:30 PM in a conference room at the Embassy Suites hotel in Lincoln, Nebraska.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on January 21, 2004, notifying the public of the meeting.

INFORMATIONAL MATERIAL

The following items of informational material were distributed during the course of the meeting and a copy of each is attached to the file copy of the minutes.

1. Nebraska Resources Development Fund Present Financial Status.
2. Status of Small Watersheds Flood Control Fund.
3. Natural Resources Districts – Summary of 2003-2004 Budgets.
4. Soil and Water Conservation Fund Report.
5. Water Well Decommissioning Fund Allocations.
5. Natural Resources Water Quality Fund Receipts.
6. Soil and Water Conservation Fund Report – Republican Basin Water Meter Program.
7. Expenditures for November and December 2003.
8. Natural Resources Conservation Service Report

MINUTES

Motion was made by Kramper and seconded by Roberts to approve the minutes of the November 20, 2003, Commission meeting as distributed. Motion carried.

Aye: Garratt, Johannes, Hadenfeldt, Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Kramper,

Donaldson, Hahn, Roberts, Korell

Nay: None

Not Present: Pieper, Davis

EXPENDITURES

It was noted that the expenditure report for November and December, 2003, covering the various funds was mailed to Commission members.

ADVISOR'S COMMENTS

Steve Chick, Natural Resources Conservation Service State Conservationist, distributed a report. He briefly reported on conservation funding for the current fiscal year, the proposed rules for the conservation security program, watershed rehabilitation, and NRCS reorganization

DIRECTOR'S REPORT

Patterson explained that the state has been working with the other states and the federal government as well as the Papio-Missouri River NRD in trying to resolve issues regarding Missouri River flows and that some progress has been made. He added that one of the mitigation measures that will likely be necessary is providing for some pallid sturgeon habitat in some locations along the River. Patterson said that the Environmental Impact Statement prepared by the Fish & Wildlife Service regarding Platte River flows has been released with a comment period extending until early April.

With respect to the Republican River he explained that the four NRDs involved and department staff are working extensively on the requirements of the settlement. He added that funds already available and additional funds that hopefully will be available from either the Environmental Trust or the Bureau of Reclamation will allow for cost-sharing on meters on all high capacity wells within the Basin.

He noted that the Central Nebraska Public Power and Irrigation District had solicited offers from irrigators as to how much payment they would take not to be delivering water this year and that they would be accepting some of those bids in order to reduce their water requirements this year. He added that there may be some federal funds available to financially assist them in that process.

ENVIRONMENTAL TRUST

Vince Kramper noted that the Environmental Trust had received the recommendations of their rating committee at their January 6 meeting and that a hearing and final decision on their grant awards would be held at their meeting on January 29. He added that 6 million dollars would be utilized for grants with about 3 million dollars reserved for the second or third years of grants already approved and 3 million dollars for new grants. He noted that the total requests this year were for approximately 30 million dollars.

PROGRAM COMMITTEE

Tom Pesek noted that the Resources Development Fund financial status report had been distributed and he briefly reviewed the various projects. Milton Moravek, representing Central Platte Natural Resources District, provided a power point presentation and discussion of the Lower Wood River/Warm Slough Project noting that the project was virtually complete with the exception of some seeding and other minor work and indicated that a completion ceremony would likely be held by the sponsors sometime this spring. He also explained that they had acquired several parcels of lands for the project and that those parcels will now be sold and the Commission will receive their proportionate share of the sale proceeds.

Tom Pesek distributed the status report of the Small Watersheds Flood Control Fund and briefly reviewed it. Pesek

introduced Scott Nelson, Assistant Manager of the Nemaha Natural Resources District, who described their request for cost-share on two agreements involved with Middle Big Nemaha Site 4. Motion was made by Watermeier and seconded by Jiskra that the Commission approve

- (1) the agreement with Johnson County Rural Water District #1 and commit 50% of \$26,730.20 or \$13,365.10 for easement, and
- (2) the agreement with Johnson County and commit 50% of \$16,632.00 or \$8,316.00 for easement, both at Site 4 of the Middle Big Nemaha Watershed.

Motion carried.

Aye: Johannes, Hadenfeldt, Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Kramper, Donaldson, Hahn, Roberts, Garrat, Korell

Nay: None

Not Present: Pieper, Davis

Gayle Starr noted that the status report for the Soil & Water Conservation Fund, Republican Basin Water Meter Fund, Natural Resources Water Quality Fund, and the Water Well Decommissioning Fund had been distributed to Commission members. He briefly reviewed the reports and noted that Natural Resources Water Quality funds may not be available in the total amount of \$1,250,000 as originally estimated.

LEGISLATIVE & BUDGET COMMITTEE

Gayle Starr explained that the Governor and the Legislature are addressing the budget shortfall issue and that depending upon a number of issues, including the projections of the economic forecasting board later in February the shortfall that they need to deal with may change significantly. He added that Governor Johannes has submitted his recommendations to the Legislature in the form of LB 1089 which includes a 2.5 percent cut in operating funds for the department in the next fiscal year, a one percent reduction in the Resources Development Fund, a 2.5 percent reduction in the Small Watersheds Flood Control Fund and the Soil and Water Conservation Fund, but no reduction in the funds available for the implementation of the Republican River and North Platte River settlements.

Jim Cook reviewed each of the following proposed legislative bills and responded to a number of questions regarding each:

LB 829	(DNR Director Qualifications)
LB 833	(Continue Water Policy Task Force)
LB 895*	(NRD Levy and Budget Lid Exception for Groundwater Management – 1.8 cents)
LB 935	(Irrigated Land Valuation – surface water or groundwater?)
LB 962*	(Water Policy Task Force Bill)
LB 1042	(2 nd Class City and Village Regulation of Pollution of Water Supplies)
LB 1134*	(Water Resources Trust Fund – 1/50 cent)
LB 1172	(Municipal Transfers into Moratorium Areas)
LB 1173	(Municipal Well Fields – Spacing Protection)
LB 1232	(NRD Agreements and Landowners)
LB 209CA	(Lottery – 10% to State Fair)

* Water Policy Task Force bills

Motion was made by Anderson and seconded by Van Marter to support LB 962 and LB 1135.

Aye: Hadenfeldt, Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Kramper, Donaldson, Hahn, Roberts, Garrett, Johannes, Korell

Nay: None

Not Present: Pieper, Davis

COMPREHENSIVE PLANNING COMMITTEE

Gayle Starr explained that Steve Gaul was unable to attend today's meeting because of some other commitments. He noted that most of the current activities of the Planning and Assistance Division related to programs that have already been discussed, including the Missouri River, the Platte River, the North Platte River settlement, the Republican River settlement, and streamgaging. Starr added that at the last meeting Mahendra Bansal had noted that Commission members would be provided a demonstration of on-line GIS capabilities but because of the location of the meeting this time at the Embassy Suites it would have been difficult to do that; therefore that demonstration will be delayed until the next meeting.

ELECTION OF OFFICERS

-
Motion was made by Jiskra and seconded by Anderson to nominate Beverly Donaldson as Commission Chair and to cast a unanimous ballot for Beverly Donaldson. Motion carried.

Aye: Anderson, Hergott, Jiskra, Watermeier, Van Marter, Madsen, Kramper, Donaldson, Hahn, Roberts, Garratt, Johannes, Hadenfeldt, Korell

Nay: None

Not Present: Pieper, Davis

-
Motion was made by Kramper and seconded by Jiskra to nominate Jim Van Marter for Commission Vice Chair and to cast a unanimous ballot for Jim Van Marter. Motion carried.

Aye: Jiskra, Watermeier, Van Marter, Madsen, Kramper, Donaldson, Hahn, Roberts, Garrett, Johannes, Hadenfeldt, Anderson, Hergott, Korell

Nay: None

Not Present: Pieper, Davis

COMMITTEE ASSIGNMENTS

-
Beverly Donaldson noted that she would prepare a draft committee assignment list and have the staff distribute that to all Commission members.

2004 MEETING DATES

-
Motion was made by Kramper and seconded by Jiskra to adopt the following meeting dates for the coming year: March 24-25; May 19-20; July 20-21 (York); Sept. 28 (Kearney); Nov. 17-18; January 26, 2005. Motion carried.

Aye: Jiskra, Watermeier, VanMarter, Madsen, Kramper, Donaldson, Hahn, Roberts, Garratt, Johannes, Hadenfeldt, Anderson, Hergott, Korell

Nay: None

Not Present: Pieper, Davis

Gayle Starr noted that it was being proposed that the July meeting be held in York and that he would be working with Richard Jiskra and the NRD to make arrangements.

ADJOURNMENT

The meeting was adjourned at approximately 3:30 p.m.

Director of Natural Resources

Chair